

\$~37

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

%

Date of Order: 07.01.2019

+

Tr. P. (C) No.152/2018 & C.M. No.33378/2018

DELHI DEVELOPMENT AUTHORITY

..... Petitioner

Through: Mr. Arun Birbal, Advocate.

Versus

THE AHLUWALIA CONTRACTS INDIA LTD & ANR

....Respondents

Through: Mr. S.K. Chandwani & Mr. Sameer
Chandwani, Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

1. Mr. Chandwani, learned counsel has put in appearance on behalf of respondent No.1. Notice issued to respondent No.2 has not been served. It is submitted by both the learned counsel that respondent No.2 has been ex-parte before the trial court in Civil Suit No.959/2107. They also submit that respondent No.2 is not a party in Civil Suit No.427/2008. As such, issuance of notice to respondent No.2 is dispensed with.

2. Learned counsel for respondent No.1 has no objection if the Civil Suit No.959/2017 pending before the court of Sh. Sonu Agnihotri, learned Additional District Judge-02, South-East District, Saket Courts Complex, New Delhi, ('ADJ') is transferred to this court.

It is submitted by both the learned counsel for the parties that both the civil suits are the offshoot of the agreement dated 19.12.2001. The petitioner has filed Civil Suit No.427/2008, which is pending in this court. The other Civil Suit No.959/2017 filed by respondent No.1 is pending in the court of learned ADJ.

3. In the circumstances, for expediency of justice, the Civil Suit No.959/2017 is withdrawn from the court of Sh. Sonu Agnihotri, learned Additional District Judge-02, South-East District, Saket Courts Complex, New Delhi, and is transferred to this court.

4. The petition along with application, being C.M. No.33378/2018, is disposed of accordingly. The parties are directed to appear before this court in Civil Suit No.959/2017 on 12.03.2019.

JANUARY 07, 2019
‘AA’

(VINOD GOEL)
JUDGE